

EPAUnited States Environmental Protection Agency
Washington, DC 20460**Work Assignment**

Work Assignment Number

4-28

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Other

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Amendment Number:

Contract Number

EP-C-11-009

Contract Period 01/01/2011 To 12/31/2015

Base

Option Period Number 4

Title of Work Assignment/SF Site Name

Section 316 Implementation

Contractor

TETRA TECH, INC.

Specify Section and paragraph of Contract SOW

See PWS

Purpose:

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Work Assignment

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Work Assignment Close-Out

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Work Assignment Amendment

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Incremental Funding

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Work Plan Approval

Period of Performance

From 01/01/2015 To 12/31/2015

Comments:

Work shall not commence on this work assignment until January 1, 2015.

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Superfund

Accounting and Appropriations Data

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Non-Superfund

SFO

(Max 2)

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Note: To report additional accounting and appropriations data use EPA Form 1900-69A.

Line	DCN (Max 6)	Budget/FY (Max 4)	Appropriation Code (Max 6)	Budget Org/Code (Max 7)	Program Element (Max 9)	Object Class (Max 4)	Amount (Dollars)	(Cents)	Site/Project (Max 8)	Cost Org/Code (Max 7)
1										
2										
3										
4										
5										

Authorized Work Assignment Ceiling

Contract Period:

Cost/Fee:

LOE:

01/01/2011 To 12/31/2015

This Action:

Total:

Work Plan / Cost Estimate Approvals

Contractor WP Dated:

Cost/Fee:

LOE:

Cumulative Approved:

Cost/Fee:

LOE:

Work Assignment Manager Name Jennifer Chan

Branch/Mail Code:

Phone Number 202-564-3067

FAX Number:

(Signature)

(Date)

Project Officer Name Robert Powell

Branch/Mail Code:

Phone Number 202-564-2108

FAX Number:

(Signature)

(Date)

Other Agency Official Name

Branch/Mail Code:

Phone Number:

FAX Number:

(Signature)

(Date)

Contracting Official Name Brad Heath

Branch/Mail Code:

Phone Number 513-487-2352

FAX Number:

(Signature)

(Date)

**PERFORMANCE WORK STATEMENT
CONTRACT EP-C-11-009
WORK ASSIGNMENT 4-28**

Title: Section 316 Implementation Support

Work Assignment Manager (WAM):

Jennifer Chan Phone: (202) 564-3067 Fax (202) 564-6392 chan.jennifer@epa.gov	<u>USPS Mailing Address</u> Water Permits Division 1200 Pennsylvania Ave., NW Mail Code 4203M Washington, DC 20460	<u>Courier Address</u> EPA East Building 1201 Constitution Ave., NW Room 7146E Washington, DC 20004
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Period of Performance: January 1, 2015 through December 31, 2015

Purpose:

The Water Permits Division (WPD) within the Office of Wastewater Management (OWM) is responsible for the development and implementation of the National Pollutant Discharge Elimination System (NPDES) program. The administrative and technical tasks provided by the contractor under this work assignment shall support EPA's Clean Water Act Section 316 NPDES permits for thermal effluent limitation variances (Clean Water Act Section 316(a)) and cooling water intake structures (Clean Water Act Section 316(b)). The purpose of these tasks is to provide technical support, on an as needed basis, to EPA Regions and States in developing and issuing conditions of 316(a) and/or 316(b) NPDES permits. Specifically, technical support is needed for facilities in Region 1 (i.e., Merrimack Station, Pilgrim Nuclear Power Station, and Schiller Station). The contractor will not be involved in Agency policy or decision making. If necessary, more specific details concerning tasks outlined below will be provided to the contractor through written technical directives in accordance with technical direction clause of the contract.

Scope of Work:

Task 1: Section 316(a) and/or 316(b) Phase I, Existing Facilities, Phase III, or Best Professional Judgment (BPJ) NPDES Permit Issuance

The contractor shall provide technical support to EPA Regions and States for permit development activities. Permit development activities that incorporate both technology and water quality-based limits typically require the following steps: reviewing NPDES application materials for completeness and accuracy, developing permit limits and conditions, drafting fact sheet, drafting permit, drafting response to comments, drafting technical support memorandums, costing and analyzing available technologies, and preparing administrative record. Permits including 316(a) and 316(b) often also require analysis of engineering and technical feasibility, impingement/entrainment and heat impacts on the waterbody, monitoring programs for aquatic organisms, quantified and qualified benefits and costs; impacts on air resources, impacts on the

reliability of energy delivery in the immediate area; remaining useful plant life; and the impacts on water consumption.

This support shall include the following tasks and deliverables:

A. Reviewing NPDES permit application materials for completeness and accuracy. - Task shall include reviewing the following documents for completeness and accuracy based on Federal or state regulatory requirements and providing technical support. Documents shall include the following: NPDES permit application forms, Source Water Physical Data, Cooling Water Intake Structure Data, Source Water Baseline Biological Characterization Data, Cooling Water System Data, Flow Reduction Information, Velocity Information, Source Waterbody Flow Information, Source Water Biological Study, Evaluation of Potential Cooling Water Intake Structure Effects, Impingement Mortality and/or Entrainment Study, Comprehensive Cost Evaluation Study, Benefits Evaluation Study, Site-Specific Technology Plan, impingement mortality and/or entrainment sampling results, 316(a) and (b) Studies, temperature studies, and other documents submitted similar to those listed above. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

Deliverables:

- Provide draft technical review memorandum within 3 weeks of receiving materials for review.
- Within 1 week of receiving comments on a draft review document from the EPA WAM the contractor shall provide additional drafts or final document.

B. Developing effluent limitations, 316(a) limitations, 316(b) limitations, and other permit conditions. - Task shall include developing permit limits and conditions recommendation for EPA's consideration based on Federal and/or state regulatory requirements and any EPA, Native American Tribe, or state policies/guidance. Where appropriate, permit conditions shall reflect watershed regulatory initiatives such as TMDLs. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

Deliverables:

- Provide draft technical permit conditions document within 2 weeks of receiving permit application materials.
- Within 2 weeks of the EPA WAM's comments on the initial draft the contractor shall provide additional drafts or final document.

C. Preparing fact sheet, permit, and technical report/memo - Based on Federal and/or State requirements, either prepare a preliminary fact sheet and permit or a technical report/memo that could be used to support permit limitations and requirements. The documents should present all of the data presented as well as the analyses performed including: facility description, rationale for effluent limits, monitoring requirements, compliance schedules, and special conditions. Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

Deliverables:

- Provide draft technical documents within 2 weeks of receiving materials.
- Within 2 weeks of the EPA WAM's comments on the initial draft the contractor shall address comments and provide additional drafts or final document.

D. Provide Technical Support in Compiling, Analyzing, and Developing a Response to Comments Document

After review of comments by EPA, the Contractor shall provide support in organizing and compiling comments as requested by the EPA WAM, this may include comments that do not address 316(a) and (b). The contractor will create response to comment files in a standard format. This includes incorporating responses from several different people/sources into a document with a consistent format, editing responses, cross referencing commenters, creating table of contents, inserting diagrams/tables, and assembling attachments. Additionally, this task shall include researching and preparing draft written responses to 316(a) and/or 316(b) public comments received by the Regions or States. The response should support the permit limits and conditions. The contractor will not address any policy related questions. The Contractor shall coordinate drafting of responses to comments related to 316(a) and (b) upon technical direction from EPA. These comments will be used to support permitting authority in developing 316(a) and/or 316(b) limits/conditions in NPDES permits. Within 1 week of EPA providing State or Region's specific request, the contractor shall initiate conference call to kick-off project if requested.

Deliverables:

- Provide organized and compiled response to comments document back to WAM within 2 weeks of receiving comments. Provide any additional drafts necessary after review of WAM within 1 week of receiving comments from WAM.
- Provide a draft comment response within 3 weeks of being assigned specific comments and receiving materials. The Contractor shall draft a memorandum response to those specific comments or portions of comments. If the draft responses should exceed 50 pages in length, the responses will be due within 4 weeks of being assigned comments and receiving materials.
- Provide final comment response document/memorandum within 2 weeks of receiving comments from EPA WAM.

Task 2. Providing technical support in permit appeal process

The contractor shall provide technical support in 316(a) and/or 316(b) NPDES permits litigation. This effort will involve quick turn around tasks that require researching and preparing supporting documents in response to court decisions.

Within 1 week of EPA providing State or Region's request, the contractor shall initiate conference call to kick-off project if requested.

Deliverables:

- Provide draft technical documents within 2 weeks of receiving materials to be reviewed in order to complete task.
- Provide final technical document within 2 weeks of receiving comments from EPA WAM.

Quality Assurance Statement

EPA requires an approved Quality Assurance Project Plan (QAPP) whenever tasks involve the generation, distribution or use of environmental data which will be used, or has the potential for being used, in environmental decision making. Environmental data is information that describes environmental processes, locations or conditions, and health effects or consequences. It can be collected directly from measurements (primary data), produced from models, or compiled from other sources (existing or secondary data). Tasks 1A, 1B, 1C, 1D, and 2 do require a QAPP as these tasks in general do involve environmental data. Work on these tasks will not start until a QAPP is received and approved by EPA.

Deliverables: Before preparing a QAPP the contractor should meet with the WAM and QA coordinator to discuss developing the QAPP. The contractor's monthly progress reports should (a) describe the contractor's progress on implementing the QAPP and resolving old data quality issues, (b) describe any new issues, and (c) provide the LOE and cost expenditures for developing the QAPP.

Level of Effort

EPA estimates **300** hours will be required in support of the activities outlined above.

Other Requirements

Reporting

Reports shall be submitted in accordance with the reporting requirements of the contract. In addition, the contractor shall maintain bi-weekly telephone contact with the EPA work assignment manager (WAM) to advise of progress and problems. All documents shall be delivered in the word processing format compatible with EPA, HTML, and/or PDF format, as requested by the WAM. The contractor shall notify the EPA WAM immediately when expenditures of 75% and 90% of the work assignment LOE or funding (including pipeline costs) are reached.

The contractor shall be prepared to submit for inspection copies of all work in progress any time as directed by the WAM. The contractor shall not release information or comments on works performed under this work assignment without the WAM's prior written authorization. Wherever practicable, all written materials submitted to EPA must be doubled-sided and on recycled paper. All computer disks submitted to the EPA WAM shall be scanned for, and identified as free from viruses.

The contractor shall document receipt of technical direction in its Monthly Progress Report. The contractor shall notify the Contracting Officer upon receipt of any technical direction that it believes will result in an increase to the cost ceiling established for the work assignment.

The contractor shall keep track of hours according to facility, allowing EPA to document what is spent on separate facilities. The contractor shall check-in on the status of projects with an e-mail or phone call to the EPA WAM no less than once per month.

General Requirements

All tasks conducted under this Work Assignment shall be managed by the EPA WAM with input and coordination with the Regional Technical Contact. The Contractor shall not directly contact the applicant or other interested parties, except as specifically authorized in writing by the EPA.

Government Furnished Data and Documents

In addition to the facility-specific information noted above, the EPA WAM will provide the Contractor access to the following items:

- A. Complete permit application, NPDES permit checklist, previous permit and technical summary/statement of basis, inspection reports, compliance history, and any other information deemed relevant by the EPA Region for each permit.
- B. An electronic copy of the permit shell and variable document, Response to Comment document, letter shells, and typical responses to comments used in drafting permit packages in Microsoft Word format.
- C. Access to Regional and State permitting and database files, as necessary, and in accordance with the policies and procedures established by EPA.
- D. Copies of all relevant State and EPA permitting regulations or guidance that are not readily accessible to the Contractor as agreed upon by the Contractor and EPA.
- E. Reviews and summaries from EPA database retrievals (Permit Compliance System (PCS)/Integrated Compliance Information System (ICIS)-NPDES). The Contractor shall not directly release any data or information provided or generated under this contract, unless specifically requested by the EPA WAM.

Travel

All travel shall be approved in advance by the project officer and shall be in accordance with the contract. No travel is expected to occur for this Work Assignment.

Information Collection

All collection of information and data shall be in accordance with the Office of Water Quality Management Plan and OMB requirements under the Paperwork Reduction Act.

Conference/Meeting Guidelines and Limitations

The contractor shall immediately alert the EPA WAM to any anticipated event under the work assignment which may result in incurring an estimated \$20,000 or more cost, funded by EPA, specific to that event, meeting, training, etc. Those costs would include travel of both prime and consultant personnel, planning and facilitation costs, AV and rental of venue costs, etc. The EPA WAM will then prepare approval internal paperwork for the event and will advise the contractor when appropriate signatures have been obtained. At that point, effort can proceed for the event. If the event is being sponsored by another EPA organization, the organization providing the planning is responsible for the approval.

Surveillance Plan

The following performance measures will apply to work under this work assignment:

Performance Requirement	Measurable Performance Standards	Surveillance Methods	Incentives/Disincentives
Management and Communications: During the performance of the Contract, the Contractor shall immediately inform EPA of any issue that may potentially impact project schedules or cost.	The Contractor shall maintain contact with contract managers (EPA CO, PO and WAM) throughout the performance of the contract and identify any issues or concerns to the appropriate EPA contract manager prior to occurrence. In cases where issues have a direct impact on project schedules and cost, the contractor shall provide options for EPA's consideration on resolving or mitigating the impacts.	EPA contract managers will allocate the time needed to discuss and address all issues identified by the Contractor. Each EPA contract manager will document and maintain a complete record of the issues, agreements and outcome. All EPA contract managers will review monthly progress reports for indicators of communications problems and will bring issues to the Contractor's immediate attention.	Any issues that impact project schedules and cost that are not brought to the attention of the appropriate EPA contract manager before occurrence will be unsatisfactory. Two or more incidents during any contract option period will be reported as unsatisfactory performance in the NIH Performance Evaluation System.
Cost Management and Control: The Contractor shall perform all work in an efficient and cost effective manner, applying cost control measures where practical.	The Contractor shall monitor, track and accurately report level of effort, labor cost, other direct cost and fee expenditures to EPA through monthly progress reports and approved special reporting requirements. The Contractor shall assign appropriately leveled and skilled personnel to all tasks, practice and encourage time management, and ensure accurate and appropriate time keeping.	The EPA Project Officer will routinely meet with the Contractor's Project Manager to discuss the work progress and contract and individual work assignment level expenditures. The Project Officer shall review the Contractor's monthly progress reports and request the WAM's verification of expenditures and technical progress before authorizing invoice payments. The EPA WAM will maintain regular contact with the Contractor's designated work assignment manager/project manager to discuss work assignment progress and expenditure. The WAM will review the Contractor's monthly progress report and invoice and provide feedback to the Project Officer on payment.	An overrun that exceeds 4% of the total contract obligation that is the direct result of the Contractor's failure to manage and control cost will result in an unsatisfactory rating being reported to the NIH Performance System.
Technical Analyses: The Contractor shall collect and analyze data in support of the Agency decision-making.	The analyses conducted by the contractor shall be factual and defensible and based on sound science and engineering. All data shall be collected from reputable sources and quality assurance measures shall be conducted in accordance with agency requirements and any additional requirements outlined in individual work assignments. Any work requiring the contractor provided options or recommendations shall include the rationale use in selecting the option/recommendation and all other options considered.	The appropriate Contract Managers will review all analyses conducted by the Contractor and will independently consider the merit. EPA may opt to peer review analyses to further validate merit.	All analyses conducted for EPA by the Contractor must be factual and based on sound science and engineering. If after reviewing the Contractor's analysis, EPA determines that the content is not factual, legally defensible or based on sound science and engineering, The Contractor's performance will be reported as unsatisfactory in the NIH Contractor Performance System.